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JOSEPH P. SPANIOLO, JR.
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No. 89 - 431

IN THE
Supreme Court of the United States

OCTOBER TERM, 1989

YELLOW FREIGHT SYSTEM, INC.,*Petitioner,*

vs.

COLLEEN DONNELLY,*Respondent.*

On Writ Of Certiorari To The United States
Court Of Appeals For The Seventh Circuit

**SUPPLEMENTAL BRIEF OF RESPONDENT
TO PRESENT INTERVENING
AUTHORITY PURSUANT TO RULE 25.5**

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PETITION FOR CERTIORARI FILED SEPTEMBER 11, 1989
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Respondent Colleen Donnelly, pursuant to Rule 25.5 of this Court, presents an intervening authority that was not available at the time of the filing of the brief of respondent. Respondent cites the case of *Tafflin v. Levitt*, ___ U.S. ___, 110 S.Ct. 792, 58 U.S.L.W. 4157, decided by this Court on January 22, 1990.

Tafflin is cited in support of the proposition set out in Point I, Section C at page 12 of respondent's brief that the mere grant of jurisdiction to the federal courts and

the absence of legislative consideration of concurrent jurisdiction does not act to oust the jurisdiction of state courts.

Tafflin is also cited in support of the proposition set out in Point I, Section D at page 23 of respondent's brief that there is no clear incompatibility between concurrent jurisdiction and the federal interests expressed in Title VII. If state courts are to be permitted to hear cases brought under RICO, then they are similarly qualified to hear cases brought under Title VII.

Respectfully submitted,

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